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March 10, 2025

Hon. Varerie Figueredo
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

Re: Mohamed John Akhtar et al. v. Eric Adams et al.
Case No. 23-cv-6585

Dear Judge Figueredo,

I represent plaintiffs in the above captioned matter, and kindly forgive me for the length of my letter, but I believe I have an obligation to explain recent occurrences concerning the case. By Order dated February 6, 2025, Your Honor directed that I report by March 10, 2025, on the attempts to serve summons and amended complaint upon defendant Eric M. Eisenberg at 1300 South Miami Avenue, Unit 14 08, Miami, Florida, the location where Mr. Eiseberg's requested that pleadings be sent.

I have been advised by the process server that five attempts were made, but, with the expectation of gaining entry to the building on March 5, 2025, and leaving summons and complaint affixed to the door, all attempts were unsuccessful in making personal service directly *upon the person* of defendant Eric M. Eisenberg. I have attached the server's affidavit as Exhibit A.

As the process server indicated on February 5, 2025, he went to the door at Unit 1408, and he could hear a woman's voice, that he believed to be speaking on the phone, from within the premises. He rang several times, but the door was not answered. He left the summons and amended complaint affixed to the door. *Id.*

Prior to this, and since I was obligated to report back to the Court regarding status of service, I did some background investigation through public records of the 1300 South Miami Avenue location. The records indicate that unit 1408 is owned by a Chistina Yu. The address listed for contact information is at 454 West 46th Street, New York, New York, the the New York address for the defendant Eric M. Eisenberg. Exhibit B. The record indicates the location is not taxed as a primary residential location. *Id.*

I also examined through public records a configuration of the building. It is a high rise condominium complex, with multiple units, along with a portion that appears to have some commercial use. As I correctly anticipated, the process server would have problems with access to the residential portion of the building.

That location, 1300 South Miami Avenue, Unit 1408, is the address provided by Mr. Eisenberg to the Court and where he insisted court documents be sent. On February 23, 2025, I wrote via email to Mr. Eisenberg concerning the public information I obtained, and asked if there were alternative service locations other than the address he provide. Exhibit C. I had a pending obligation to inform the Court on status of service, and since the owner of the premises was not listed as Mr. Eisenberg, and given that he is an attorney, I thought there might be an alternate business location for him.

By email communication that same day, Mr. Eisenberg replied as follows:

["I believe your communication is in violation of Florida, if not also New York Law...and may make you and/or your clients liable for damages." *Id.* He demand a withdrawal of my communication within "one business day." He concluded that [he] "may be forced to seek redress in a court of law." *id.*

The purpose of my letter was solely to facilitate service, as directed by the Court, at the address chosen by Mr. Eisenberg. While I am sure I have done nothing that would warrant "redress in a court of law," my client became concerned over this communication. He was alarmed that because of Mr. Eisenberg's statement, where I, along with himself, have been threatened with retaliation, it might inhibit me from carrying on with his case.

Unfortunately, and before the one above, there have been a pattern of disturbing communications from Mr. Eisenberg, among them:

By email to me, dated February 11, 2025, he suggested my representation of my clients was out of "anti-jewish prejudice...." It is concluded with a sinister message: "Your behavior will not be tolerated lightly." Exhibit D.

Again, in an email to me, dated February 12, 2025, Mr. Eisenberg wrote: You are...engaging in what appears to be discriminatory, anti-semitic, religion-based targeting of legal filings." Exhibit E.

There have been other disturbing communications from Mr. Eisenberg.

I am very troubled by these allegations, and I deny each and every one. I must say the allegations of antisemitism are hurtful, untrue, and I am deeply offended. I have no idea why he would say such a thing, and if I had the slightest inkling that my clients were motivated by bias of any nature, I will seek to withdraw from the case without hesitation. I have asked Mr. Eisenberg to provide any evidence that would support such allegations, but he has not responded substantively.

My clients are of the belief that threats to take punitive action are an attempt to interfere with the pursuit of what they believe to be a meritorious claim.

I am not requesting the Court to take any action in response to these occurrences. I believe it would become a distraction from moving the case forward, which is my primary goal. I do believe I have an obligation to make a record of these incidents, along with my denials and assertions they are wholly without any basis in fact. These latest incidents constitute a series of very personal attacks against my character and do nothing to address the merits of the case.

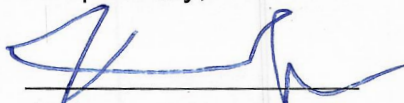
I want Mr. Eisenberg to have the opportunity to conform to the rules of professional conduct, and maintain the appropriate decorum that is expected of counsel while before any court. I will need the cooperation of Mr. Eisenberg to see the case through the discovery phase without unnecessary delay, and I truly want to give him a chance.

As to service upon Mr. Eisenberg, I believe plaintiffs have sufficient evidence to show that Mr. Eisenberg's legal residence is in the State of New York. Indeed, in his recent messaging he complains over my clients' music. This is an admission where he places himself not in Florida, but within hearing distance on of Swing 46 on West 46 Street, Manhattan. Plaintiffs are now prepared to show that service upon Mr. Eisenberg has been completed--at least on one occasion.

In short, I will be filing affirmation of service along with supporting documents. Thereafter, I will be respectfully requesting a discovery schedule to move forward through that phase of the case.

Thank you for your consideration of the above.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Anthony N. Iannarelli Jr.', written over a horizontal line.

Anthony N. Iannarelli Jr.
Attorney for Plaintiffs

Via email

cc: Mr. Eric M. Eisenberg, *Pro se*
Mohamed John Akhtar/Swing 46
Plaintiffs

MOHAMED JOHN AKHTAR, ET AL

Plaintiff

vs

ERIC M. EISENBERG, ET AL

Defendant



20250220095823

Court Of _____

Venue _____

Docket Number: 1 23 CV 06585 JGLC VF

Person to be served (Name and Address):ERIC M. EISENBERG
1300 S MIAMI AVENUE UNIT 1408
MIAMI FL 33130

By serving: ERIC M. EISENBERG

Attorney: ANTHONY N. IANNARELLI, JR., ESQ.

Papers Served: SUMMONS, FIRST AMENDED COMPLAINT

Service Data: ☐ Served Successfully ☒ Not Served

Date/Time: _____ 3/5/2025 4:52 PM

☐ Delivered a copy to him/her personally☐ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)☐ Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. (indicate name & official title at right)**Description of Person Accepting Service:**

SEX: _____ AGE: _____ HEIGHT: _____ WEIGHT: _____ SKIN: _____ HAIR: _____ OTHER: _____

Unserved:

- ☐ Defendant is unknown at the address furnished by the attorney
☐ All reasonable inquiries suggest defendant moved to an undetermined address
☐ No such street in municipality
☐ Defendant is evading service
☐ Appears vacant
☐ No response on:

Date/Time: _____
 Date/Time: _____
 Date/Time: _____

Attempts

2/22/2025 2:39:00 PM
 2/25/2025 8:13:00 PM
 2/28/2025 8:02:00 AM
 3/5/2025 4:52:33 PM
 3/5/2025 4:54:10 PM

Other:

*SOFLO - 3/5/25 4:52:41 PM - NO RESPONSE AT UNIT. FEMALE VOICE IS HEARD SPEAKING ON PHONE. WAITED ABOUT 10 MINUTES AS A COURTESY FOR HER TO FINISH PHONE CALL BEFORE ATTEMPTING TO KNOCK AGAIN. FEMALE INDIVIDUAL NEVER GOT OFF OF PHONE CALL. PROCEEDED TO KNOCK SEVERAL TIMES BUT NO RESPONSE. LEFT CONTACT NOTICE AFFIXED TO DOOR. BUILDING SECURITY CONFIRMED ENTITY IS REGISTERED TO UNIT AND ATTEMPTED CONTACTING PHONE NUMBER ON FILE, RECEIVING NO RESPONSE.

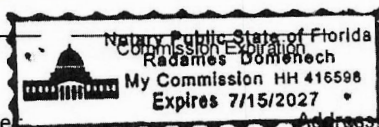
To Be Used Where Electronic Signature Not Available**Served Data:**

Subscribed and Sworn to me this

6th day of March, 2025

Notary Signature: _____

Name of Notary



Name of Private Server _____ Address: 2009 Morris Avenue UNION, NJ 07083 Phone: (800) 672-1952

DocuSign Court Approved E-Signature

I, Luis Mesa,

was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

3/6/2025
Date**EXHIBIT A**

HOME	EXEMPTIONS & OTHER	REAL ESTATE	TANGIBLE PERSONAL PROPERTY	PUBLIC ONLINE RECORDSTOOLS	TAX ROLL ADMINISTRATION	ABOUT US	CONTACT US
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ADDRESS OWNER NAME SUBDIVISION NAME FOLIO

SEARCH:

[Back to Search Results](#)

PROPERTY INFORMATION ⓘ

Folio: 01-4139-126-2700

Sub-Division:

1300 S MIAMI AVENUE CONDO

Property Address

1300 S MIAMI AVE UNIT: 1408

Owner

CHRISTINA YU

Mailing Address

454 W 46 ST APT 1ES
NEW YORK, NY 10036

PA Primary Zone

6408 RAPID TRANSIT-HIGH DENSIT

Primary Land Use

0407 RESIDENTIAL - TOTAL VALUE : CONDOMINIUM - RESIDENTIAL

Beds / Baths /Half	1 / 1 / 1
Floors	0
Living Units	1
Actual Area	
Living Area	649 Sq.Ft
Adjusted Area	649 Sq.Ft
Lot Size	0 Sq.Ft
Year Built	2016

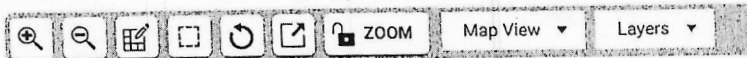


EXHIBIT B



Featured Online Tools

Comparable Sales	Glossary	PA Additional Online Tools
Property Record Cards	Property Search Help	Property Taxes
Report Discrepancies	Report Homestead Fraud	Special Taxing Districts and Other Non-Ad Valorem Assessments
Tax Comparison	Tax Estimator	TRIM Notice
Value Adjustment Board	Tax Visualizer	

ASSESSMENT INFORMATION ①

Year	2024	2023	2022
Land Value	\$0	\$0	\$0
Building Value	\$0	\$0	\$0
Extra Feature Value	\$0	\$0	\$0
Market Value	\$368,790	\$349,380	\$283,672
Assessed Value	\$368,790	\$349,380	\$262,770

TAXABLE VALUE INFORMATION ①

Year	2024	2023	2022
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$368,790	\$349,380	\$262,770
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$368,790	\$349,380	\$283,672
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$368,790	\$349,380	\$262,770
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$368,790	\$349,380	\$262,770

BENEFITS INFORMATION ①

Benefit	Type	2024	2023	2022
Non-Homestead Cap	Assessment Reduction			\$20,902

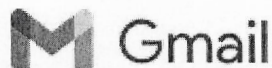
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

FULL LEGAL DESCRIPTION ①

1300 S MIAMI AVENUE CONDO
UNIT 1408
UNDIV 0.00141218%
INT IN COMMON ELEMENTS
OFF REC 28717-2894

SALES INFORMATION ①

Previous Sale	Price OR Book-Page	Qualification Description	Previous Owner 1
11/23/2022	\$514,000 33487-4045	Qual by exam of deed	PATAGONIA ESTATES LLC
11/14/2016	\$397,900 30315-4107	Qual by exam of deed	PRH 1300 S MIAMI AVENUE LLC



Anthony Iannarelli <anilaw2@gmail.com>

Service of Summons and Amended complaint

2 messages

Anthony Iannarelli <anilaw2@gmail.com>

Sun, Feb 23, 2025 at 1:10 PM

To: Eric Eisenberg <ericeis@gmail.com>, Eric Eisenberg <ericnoise@hotmail.com>

Dear Mr. Eisenberg, As you are aware plaintiffs have been directed by the Court to serve Summons and Amended Complaint upon you. Your chosen address at 1300 S. Miami Avenue, Unit 1408, Miami, FL 33130 as your mailing address. Is that a location where you would like to be served?

If so, It has been determined that location is a highrise condominium complex. Can you advise whether or not the process server will encounter any issues as to entering at the main entrance? If there are frontdesk personnel, would you kindly leave word to allow for access.

Alternatively, if you would like to meet the process server at another location we can arrange for that.

Thank you for your prompt attention to this matter. Sincerely, Anthony Iannarelli, Esq.

Anthony N. Iannarelli Jr.
Attorney at Law
201-236-1838
anilaw2@gmail.com

Eric Eisenberg <ericeis@gmail.com>

Sun, Feb 23, 2025 at 1:16 PM

To: Anthony Iannarelli <anilaw2@gmail.com>

Dear Mr. Iannarelli,

I believe your below communication is in violation of Florida, if not also New York, law, and may make you and/or your clients liable for damages. Please advise within one business day whether you will agree to withdraw your below correspondence.

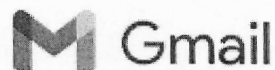
Absence such withdrawal, I may be forced to seek redress in a court of law.

Sent with full reservation of rights.

Best,
Eric

[Quoted text hidden]

EXHIBIT C



Anthony Iannarelli <anilaw2@gmail.com>

Your email of 02/11/2025

2 messages

Anthony Iannarelli <anilaw2@gmail.com>

Wed, Feb 12, 2025 at 7:52 PM

To: Eric Eisenberg <ericeis@gmail.com>, Eric Eisenberg <ericnoise@hotmail.com>

Dear Mr. Eisenberg, Based upon your allegations contained in your email of February 11, 2025, I am beginning a full review of all documents, including witness statements, that might suggest any bias as you have alleged. I wish to personally reassure you that I will not tolerate any bias towards anyone in the course of my advocacy in this, or for that matter, any other case,

It would be helpful if you can be more specific as to your allegations? For your convenience, I have cut and pasted your statement below.

I also note that you allege in that same statement that my client "has continued to blast music outdoors after filing the federal lawsuit." (Again, please see your statement attached below.)

Can you please be more specific as to when this might have occurred? If you cannot recall specific dates, can you possibly provide the time of year or season? Additionally, when you heard this music, were you in the vicinity of Swing 46?

Thank you for your anticipated cooperation.

Anthony Iannarelli, Esq.

anilaw2@gmail.com

Eric Eisenberg <ericeis@gmail.com>

To: Anthony Iannarelli <anilaw2@gmail.com>

Tue, Feb 11, 2025 at 4:36 PM

I am not sure what is unclear. The declaration contained falsification by yourself (at least as to your witness date) and Ms. Hayes (as to multiple factual assertions).

The continued lack of respect for the truth by you and your declarants ought to have consequences.

Moreover, as indicated in my prior declarations, your client has continued to blast music outdoors after filing this federal lawsuit. It has thus been a nuisance to the city of New York. Multiple individuals have documented this behavior, but for some reason you insist, perhaps out of anti-jewish prejudice, on pursuing me.

Your behavior will not be tolerated lightly.

Sincerely,
Eric Eisenberg

Anthony N. Iannarelli Jr.
Attorney at Law
201-236-1838

EXHIBIT D

anilaw2@gmail.com

Eric Eisenberg <ericeis@gmail.com>

Wed, Feb 12, 2025 at 7:55 PM

To: Anthony Iannarelli <anilaw2@gmail.com>

Cc: Eric Eisenberg <ericnoise@hotmail.com>

As I have told you now in three emails, if you want to discuss an allegedly problematic February 11, 2025 email of mine, please respond to the full chain that includes that email, to avoid confusion.

You are now wasting my time, in addition to engaging in what appears to me to be discriminatory, anti-semitic, religion-based targeting of legal filings.

[Quoted text hidden]

EXHIBIT E